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March 31, 2023

VIA ECF

Hon. Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**RE: *Goldstein, et al. v. Mutual of America Life Insurance Company,*
No. 1:22-cv-07862-GHW-OTW**

Dear Magistrate Judge Wang:

In accordance with the Court's March 28, 2023, Order (ECF No. 49), counsel for Plaintiffs Eric Goldstein, Matt Sudol, and Bonnie Zelazek ("Plaintiffs") and counsel for Defendants Mutual of America Life Insurance Company and the Mutual of America Investment Manager Committee ("Defendants") (collectively, the "Parties") respectfully submit the following joint status report for the above-referenced matter.

With the Court's encouragement and assistance, the Parties have engaged in direct settlement negotiations and have reached an agreement in principle for the resolution of this case. The Parties are preparing a formal Class Action Settlement Agreement, and Plaintiffs are preparing a motion asking the Court to certify the proposed class for settlement purposes and to preliminarily approve the settlement under Federal Rule Civil Procedure 23(e). The Parties have agreed to consent to Your Honor's jurisdiction under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 for purposes of conducting further proceedings under Rule 23(e) related to the review and approval of the settlement and the certification of the proposed class for settlement purposes.

In terms of upcoming deadlines, the Parties propose that Plaintiffs file their unopposed motion for preliminary approval of the settlement on April 14, 2023, and that the Court schedule a hearing on this motion at the Court's earliest convenience thereafter. Assuming preliminary approval is granted, the notice and comment period in similar cases is typically approximately 120 days, with a fairness hearing under Fed. R. Civ. P. 23(e)(2) scheduled no sooner than 120 days following entry of the preliminary approval order. Further details regarding the timing and sequence of this process will be set forth in the Parties' Class Action Settlement Agreement and Plaintiffs' forthcoming motion for preliminary approval.



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Respectfully Submitted,

Dated: March 31, 2023

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